

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FIFTY-SECOND DAY

APRIL 19, 2012

OFFICE OF THE CHIEF CLERK

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FIFTY-SECOND DAY

Thursday, April 19, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:39 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by former Representative Kirk Caldwell, after which the Roll was called showing all Members present with the exception of Representatives Ching and Tokioka, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth and Thirty-First Days were approved. (Representatives Ching and Tokioka were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1121 through 1128) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1121, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES." (ACT 021)

Gov. Msg. No. 1122, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES." (ACT 022)

Gov. Msg. No. 1123, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2650, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES." (ACT 023)

Gov. Msg. No. 1124, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS." (ACT 024)

Gov. Msg. No. 1125, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2503, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY." (ACT 025)

Gov. Msg. No. 1126, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES." (ACT 026)

Gov. Msg. No. 1127, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS." (ACT 027)

Gov. Msg. No. 1128, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2533, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT." (ACT 028)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 761 through 765) were received and announced by the Clerk:

Sen. Com. No. 761, dated April 18, 2012, informing the House that the Senate has on April 17, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2798, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS."

Sen. Com. No. 762, dated April 18, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 240, Tokuda, Chair; Green/Ige, Co-Chairs
SD 2, HD 2

S.B. No. 243, Tokuda, Chair; Ige, Co-Chair; Kidani
SD 2, HD 1

S.B. No. 596, Green, Chair; Tokuda/Ige, Co-Chairs
SD 2, HD 1

S.B. No. 1276, Baker, Chair; Espero, Co-Chair; Chun Oakland,
SD 2, HD 2 Taniguchi, Slom

S.B. No. 1332, Tokuda, Chair; Espero/Kouchi, Co-Chairs; English,
SD 2, HD 2 Slom

S.B. No. 1382, Tokuda, Chair; Kidani, Co-Chair; Slom
SD 2, HD 1

S.B. No. 2873, Gabbard, Chair; Ihara, Slom
SD 1, HD 3

Sen. Com. No. 763, dated April 18, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2251, Hee, Chair; Kidani, Co-Chair; English, Kouchi,
SD 1 Slom

H.B. No. 2265, Espero, Chair; Kidani, Co-Chair; Kouchi
HD 2, SD 2

H.B. No. 2275, Green, Chair; Chun Oakland/Ige, Co-Chairs; Baker,
HD 2, SD 2 Kouchi

H.B. No. 2314, Kim, Chair; Ige, Co-Chair; Kouchi, Slom
HD 1, SD 1

H.B. No. 2338, Fukunaga, Chair; Ige/Dela Cruz, Co-Chairs
HD 2, SD 1

H.B. No. 2417, Gabbard, Chair; Ige, Co-Chair; Espero, Slom
HD 2, SD 2

H.B. No. 2524, Fukunaga, Chair; Baker/Espero, Co-Chairs; Kouchi
HD 2, SD 2

H.B. No. 2526, Fukunaga, Chair; Baker/Wakai, Co-Chairs; Kouchi,
HD 2, SD 2 Slom

Sen. Com. No. 764, transmitting H.C.R. No. 12, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FOURTH WEEK OF JANUARY OF EVERY YEAR AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," which was adopted by the Senate on April 18, 2012.

Sen. Com. No. 765, transmitting H.C.R. No. 150, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," which was adopted by the Senate on April 18, 2012.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1785-12), recommending that S.C.R. No. 74, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 74, be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Souki
Rep. Awana
Vice Speaker Manahan
Rep. Marumoto

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO PRESERVE PROPERTY TAX EXEMPTIONS FOR KULEANA LANDS," was referred to the Committee on Finance, with Representative Souki voting no, and with Representatives Ching and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1786-12), recommending that S.C.R. No. 151, SD 1, be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HEALTH, AND OFFICE OF PLANNING TO STREAMLINE THE PERMITTING PROCESS FOR THE RESTORATION OF HAWAIIAN FISHPONDS," was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Ching and Tokioka being excused.

Representatives Hanohano and Wooley, for the Committee on Hawaiian Affairs and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1787-12) recommending that S.C.R. No. 116, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 116, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Takai

TO BE INSERTED: Rep. Takai
(Submit by Tuesday, April 24)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 116, entitled: "SENATE

CONCURRENT RESOLUTION APPROVING THE SELECTION OF DANIEL KAHIKINA AKAKA TO BE INDUCTED INTO THE ALOHA ORDER OF MERIT," was adopted, with Representatives Ching and Tokioka being excused.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

REMARKS DELIVERED: Vice Speaker Manahan

SUSPENSION OF RULES

REMARKS DELIVERED: Vice Speaker Manahan

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Ching and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Ching and Tokioka were excused.)

H.B. No. 297, HD 1, (SD 1)
H.B. No. 626, (SD 1)
H.B. No. 1671, HD 2, (SD 2)
H.B. No. 1754, HD 1, (SD 1)
H.B. No. 1967, HD 2, (SD 2)
H.B. No. 2169, HD 2, (SD 1)
H.B. No. 2374, (SD 1)
H.B. No. 2454, HD 1, (SD 1)
H.B. No. 2574, HD 1, (SD 1)
H.B. No. 2656, HD 2, (SD 2)

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Thielen

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
87, SD1	Committee on Hawaiian Affairs
109, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts
137, SD1	Committee on Economic Revitalization & Business

ADJOURNMENT

At 11:53 o'clock a.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 20, 2012. (Representatives Ching and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1054, Takumi/Yamashita, Co-Chrs.;
HD 1, SD 1 Hashem, Mizuno, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2152, Rhoads/McKelvey/Oshiro, Co-Chrs.;
HD 2, SD 2 Yamashita, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 240, Yamane/M. Lee, Co-Chrs.;
SD 2, HD 2 Morikawa, Pine

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 243, Nishimoto/Tokioka, Co-Chrs.;
SD 2, HD 1 Nakashima, Saiki, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1382, Nishimoto/Takumi/Yamashita/Tokioka, Co-Chrs.;
SD 2, HD 1 Belatti, Nakashima, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2374, Discharged all conferees.
SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1065, Added Representative Awana as a member.
SD 1, HD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2454, Discharged all conferees.
HD 1, SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2169, HD 2, SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 297, HD 1, SD 1
H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1967, HD 2, SD 2
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1
H.B. No. 2656, HD 2, SD 2

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 1754, HD 1, SD 1